

Emergency Rule
LSA Document #15-192(E)

DIGEST

Temporarily adds noncode provisions to establish a deer control permit to allow the taking of a white-tailed deer outside the deer hunting seasons that is causing damage or a health or safety threat. Effective June 23, 2015.

SECTION 1. (a) This document is supplemental to [312 IAC 9-10-11](#).

(b) This rule *[document]* governs the issuance of a nuisance wild animal control permit to control a white-tailed deer.

(c) The director may, without a fee, issue a nuisance wild animal control permit under this SECTION for white-tailed deer that is:

(1) Causing or threatening to cause economic damage to property in excess of five hundred dollars (\$500) annually. Damage to the following may be considered in computing economic impact to property:

- (A) A building or dwelling and related improvements to real property.**
- (B) Agricultural row crop.**
- (C) Hay, stored grain, or livestock food.**
- (D) Cover crop.**
- (E) A vineyard.**
- (F) An orchard.**
- (G) Landscape vegetation.**
- (H) Truck crop.**
- (I) A tree nursery.**
- (J) A tree.**
- (K) A food garden of one (1) acre or greater in size.**
- (L) Ornamental vegetation.**
- (M) Other commercial vegetation established by humans.**

Browsing or antler rubbing to naturally occurring vegetation or vegetation not planted by humans shall not be considered in computing economic damage.

(2) Posing an immediate health or safety threat to persons or domestic animals.

(d) The methods and number of deer that may be taken shall be set forth in the permit.

(e) The permit holder may have up to ten (10) unpermitted individuals assist the permit holder in taking the deer, but only if the permit holder directly supervises or coordinates the activities of the unpermitted individuals. The unpermitted individuals must:

- (1) be identified on the permit;**
- (2) be in compliance with the hunter education requirement in [IC 14-22-11-5](#); and**
- (3) possess a copy of the permit when conducting any authorized activities.**

(f) For each deer killed, the permit holder must:

- (1) cause the removal of all antlers; and**
- (2) maintain a true and accurate record of:**
 - (A) the date and time killed;**
 - (B) the sex of the deer;**
 - (C) disposition of the carcass;**
 - (D) equipment used to take the deer; and**
 - (E) name and address of the person in possess *[sic, possession]* of carcass (if kept or gifted).**

(g) A permit issued under this SECTION may be issued only as follows:

- (1) outside the regular deer hunting season except for an immediate health or safety threat; and**
- (2) for a duration of no more than ninety (90) days.**

A permit may be renewed for no more than ninety (90) additional days in one (1) calendar year.

(h) A department form must accompany all harvested deer taken under a permit issued under this SECTION if it will be donated or used for human consumption and must stay with the meat or carcass at all times.

(i) Within 14 days of the expiration of the permit, the permit holder must:

- (1) cause the delivery of the records described in subsection (e) to the address on the form; and**
- (2) arrange for the delivery of the antlers within thirty (30) business days to a designated department property office during its established business hours or to a division of fish and wildlife representative.**

(j) The permit holder and all unpermitted assistants must carry this permit when taking deer authorized under this permit.

(k) The permit holders shall not advertise the availability or use of deer or deer control permit through any printed or electronic media format.

(l) A permit issued under this SECTION may be suspended or revoked in accordance with [IC 4-21.5](#) if the permit holder:

(1) Fails to comply with any of the following:

(A) [IC 14-22](#).

(B) This document.

(C) A term of the permit.

(2) Provides false information to obtain a permit under this SECTION.

SECTION 2. This document takes effect June 23, 2015.

SECTION 3. This document expires on June 22, 2016.

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Filed with Publisher: June 22, 2015, 3:39 p.m.

Posted: 06/24/2015 by Legislative Services Agency

An [html](#) version of this document.